No. 728. BARTON, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE, *v.* SENTNER; and

No. 784. SENTNER *v.* BARTON, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. Appeals from the United States District Court for the Eastern District of Missouri. *Per Curiam:* The judgment is affirmed. See *United States* v. *Witkovich*, 353 U. S. 194.

MR. JUSTICE BURTON and MR. JUSTICE CLARK dissent. They would note jurisdiction of this appeal and afford the Attorney General an opportunity to present the Government's side of this important internal security problem. *United States* v. *Witkovich, supra,* in which they dissented, limited § 242 (d)(3) of the Immigration and Nationality Act of 1952, 66 Stat. 211, as amended, 8 U. S. C. (Supp. IV) § 1252 (d)(3), "to authorizing all questions reasonably calculated to keep the Attorney General advised regarding the continued availability for departure of aliens . . . ." It passed on clause (3) and no other. This appeal involves other clauses of § 242 (d), namely, clauses (1) and (4), neither of which was passed on in *Witkovich*. The Court, by summary affirmance of this appeal, without argument, enlarges its holding in *Witkovich* and strikes down two more clauses of § 242 (d). These two clauses are vital to the effectuation of the purpose of the Congress in controlling subversives whose ordered deportation has been forestalled by technical difficulties. For a more detailed discussion see their dissent in *Witkovich*.

Solicitor General Rankin, Assistant Attorney General Olney and *Beatrice Rosenberg* for Barton. *Sydney L. Berger* for Sentner. Reported below: 145 F. Supp. 569.